

UNITED STATES DISTRICT COURT
District of Massachusetts

Joseph Peter Schmitt, pro se.,)
Plaintiff,)
-vs-)
Jeffrey Smith, et al.,)

Defendants)

USDC CASE NO. 04-10451-RWZ

FILED
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2006 NOV 27 P 2:32
DISTRICT COURT
DISTRICT OF MASS.

AND

Joseph Peter Schmitt, pro se.,)
Plaintiff,)
-vs-)
Patrick Mulvey, et al.,)

Defendants.)

USDC CASE NO. 04-10717-RWZ

PLAINTIFF'S CROSS-MOTION IN OPPOSITION TO DEFENDANTS' MOTION
TO VACATE PLAINTIFF'S INDIGENCY STATUS

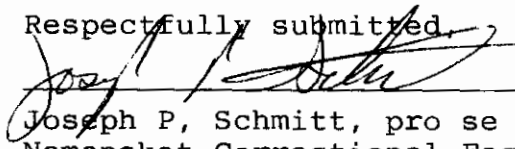
Now comes the pro se, indigent plaintiff in the above captioned action with his cross-motion and opposes the defendants/appellees motion to vacate his indigency status.

Plaintiff (Schmitt) opposes the the defendants/appellees motion on the grounds of Res Judica - Specifically "ISSUE PRECLUSION".

Schmitt relies on his Memorandum of Law attached hereto.

Dated: November 22, 2006

Respectfully submitted,



Joseph P. Schmitt, pro se
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